



#116114

PATENT  
Attorney Docket No. 046700-5005  
Page 1 of 6

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Sam E. KINNEY, Jr. et al. :  
: Examiner: Alain Bashore  
Application No.: 09/282,157 :  
: Group No.: 3624  
Filed: March 31, 1999 :  
:  
For: METHOD AND SYSTEM FOR :  
CONDUCTING ELECTRONIC :  
AUCTIONS WITH MULTI- :  
PARAMETER PRICE :  
EQUALIZATION BIDDING :

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**INFORMATION DISCLOSURE STATEMENT PURSUANT  
TO 37 C.F.R. §§ 1.56 ET SEQ.**

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Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

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**GROUP 3600**

Pursuant to 37 C.F.R. § 1.97(b), the above-identified Applicants bring to the attention of the Examiner the patents and other publications listed on the attached Form PTO-1449A (2 sheets), which may be material to the examination of the above-identified application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. § 1.56. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits after the filing of a request for continued examination under 37 C.F.R. § 1.114.

In compliance with 37 C.F.R. § 1.98(a), copies of the patents and other publications set forth below and listed on the attached Form PTO-1449A (2 sheets) are provided.

U.S. Patents

| <u>Patent No.</u> | <u>Issue Date</u> | <u>Patentee</u>  |
|-------------------|-------------------|------------------|
| 3,863,060         | 1/28/75           | Rode, et al.     |
| 4,597,045         | 6/24/86           | Kiuchi           |
| 4,799,156         | 1/17/89           | Shavit, et al.   |
| 5,629,982         | 5/13/97           | Micali           |
| 5,799,285         | 8/25/98           | Klingman         |
| 5,803,500         | 9/8/98            | Mossberg         |
| 5,809,483         | 9/15/98           | Broka, et al.    |
| 5,832,496         | 11/03/98          | Anand, et al.    |
| 5,835,896         | 11/10/98          | Fisher, et al.   |
| 5,862,223         | 1/19/99           | Walker, et al.   |
| 5,897,621         | 4/27/99           | Boesch, et al.   |
| 5,905,974         | 5/18/99           | Fraser, et al.   |
| 5,905,975         | 5/18/99           | Ausubel          |
| 5,915,209         | 6/22/99           | Lawrence         |
| 5,966,699         | 10/12/99          | Zandi            |
| 6,014,627         | 1/11/00           | Togher, et al.   |
| 6,021,398         | 2/1/00            | Ausubel          |
| 6,023,685         | 2/8/00            | Brett, et al.    |
| 6,044,363         | 3/28/00           | Mori, et al.     |
| 6,055,518         | 4/25/00           | Franklin, et al. |

|           |          |                    |
|-----------|----------|--------------------|
| 6,058,379 | 5/2/00   | Odom, et al.       |
| 6,061,663 | 5/9/00   | Bloom, et al.      |
| 6,078,906 | 6/20/00  | Huberman           |
| 6,119,229 | 9/12/00  | Martinez, et al.   |
| 6,151,589 | 11/21/00 | Aggarwal, et al.   |
| 6,161,099 | 12/12/00 | Harrington, et al. |
| 6,199,050 | 3/6/01   | Alaia, et al.      |
| 6,266,652 | 07/24/01 | Godin, et al.      |
| 6,366,891 | 4/2/2002 | Feinberg           |

Foreign Patents

|                        |                         |                |
|------------------------|-------------------------|----------------|
| <u>Publication No.</u> | <u>Publication Date</u> | <u>Country</u> |
| 0399850A               | 11/28/90                | EP             |
| WO 92/15174            | 9/3/92                  | WIPO           |
| WO 98/34187            | 8/6/98                  | WIPO           |
| WO 99/63461            | 12/9/99                 | WIPO           |
| 409101994A             | 4/97                    | JP             |
| 410078992A             | 3/98                    | JP             |

Other Publications

“BroadVision Developing First Interactive Commerce Management System To Support Online Sales & Marketing Process; New Software Category Necessary to Interactive Network Architecture”, Business Wire, p5150152, May 15, 1995

"FairMarket Launches New Self-Serve Auctions", Business Wire, p6161495, June 16, 1998

Lee, "Do electronic marketplaces lower the price of goods?", Communications of the PCM, v41n1 pp 73-80, January 1998

"Moai Technologies Introduces New categories of Business to Business Auction Software...", Business Editors and Computer Writers, March 16, 1998

Kikuchi, et al., "Multi-Round Anonymous Auction Protocols", IEICE Trans. Inf. & Syst., vol.E82-D, No.4, April 1999

"Online bidding software", Electronic Buyers' News, Issue 1072, p86, 1/6p, August 25, 1997

Sairamesh, et al., "Economic Framework for Pricing and Charging Digital Libraries", D-Lip Magazine, February 1996

"Sold!...To the Lowest Bidder", Computer Finance, v6, n2, July 1995

"Venture Capitalists Fund Two Massachusetts Internet Related Companies", Boston Globe, January 14, 1998

Vigoroso, "Buyers prepare for brave new world of e-commerce", Purchasing, v126, n6, pS4(1), April 22, 1999

Von der Fehr, et al., "Predatory bidding in sequential auctions", Oxford Economics Papers, v46, n3, p345(12), July 1994

"What you need to know to bid in FCC's narrowband auction", Washington Telecom

News, v2, n26, p6(2), June 27, 1994

M. Reck, "Types of Electronic Auctions", Hochschule St. Gallen

C. Wrigley, "Design Criteria For Electronic Market Servers", Electronic Markets, vol.7, no.4, 1997

Wurman, et al., "The Michigan Internet AuctionBot: A Configurable Auction Server for Human and Software Agents", Artificial Intelligence Laboratory, University of Michigan, 1998

Applicants respectfully request that these items be considered by the Examiner, and that the Examiner acknowledge consideration of these references by initialing and returning copies of the enclosed Form PTO-1449A (2 sheets) with the next official action.

While this Information Disclosure Statement may be "material" pursuant to 37 C.F.R. §1.56, it is not intended to constitute an admission that any patent, publication or other information referred to herein is "prior art" for this invention or otherwise material to the patentability of this invention as defined in 37 C.F.R. § 1.56.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(b) exists.

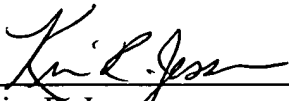
**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required,

including any required extension of time fees, or credit any overpayment to Deposit Account

No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR  
EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

November 5, 2002  
Date

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